

# APPENDIX A

## Appendix A

### Privilege Log Entries Identified by Plaintiffs

No.	Date	Privilege Log Number	Privilege/Protection Asserted	Privilege Log Entry (all emphasis added)	Additional Information
1	Jan. 18, 2017	GGPL-AT-000631341	Attorney Work Product (“WP”)	Email containing legal advice and work product of [Attorney Name] ESQ, [Attorney Name] ESQ, and [Attorney Name] ESQ regarding <i>FTC subpoena</i> for AdWords data, prepared in response to active regulatory investigation and in anticipation of litigation.	As indicated in Google’s privilege log, this document does not relate to a State AG investigation, but rather to an FTC subpoena.
2	July 29, 2017	GGPL-1010009884	Attorney-Client Privilege (“ACP”); WP	Draft memorandum prepared at the direction and revealing legal advice and work product of [Attorney Name] ESQ, [Attorney Name] ESQ and [Attorney Name] ESQ regarding competition and regulatory issues related to DFA, DFP and AdX Redirect, prepared in connection with <i>FTC investigation</i> and in anticipation of litigation.	As indicated in Google’s privilege log, this document does not relate to a State AG investigation, but rather an FTC investigation.
3	Mar. 13, 2018	GGPL-2290024583	ACP; WP	Memorandum prepared at the direction and revealing legal advice of [Attorney Name] ESQ and [Attorney Name] ESQ re <i>FTC and DOJ</i> antitrust regulatory strategy.	As indicated in Google’s privilege log, this document does not relate to a State AG investigation, but rather FTC and DOJ enforcement.

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4	Dec. 5, 2018	GGPL-1190482012	ACP; WP	Draft Presentation revealing legal advice of [Attorney Name] ESQ and [Attorney Name] ESQ regarding legal aspects of competition strategy related to competition and FTC and State AG regulatory investigations prepared in anticipation of litigation.	While this document does reference a “State AG,” that reference is to the Missouri State Attorney General—not Texas. The document also references the FTC.
5	Apr. 14, 2019	GGPL-2290014998	ACP; WP	Draft presentation providing analysis of legal and regulatory developments in competition law for pending or anticipated DOJ and state AG investigations revealing legal advice of competition counsel re contents thereof.	While Google’s privilege log does reference “pending or anticipated DOJ and state AG investigations,” upon further review, this description was not accurate. The document refers solely to pending or anticipated investigations in the EU and EU Member States.
6	Apr. 22, 2019	GGPL-1110797508	ACP; WP	Email seeking legal advice of [Attorney Name] ESQ, [Attorney Name] ESQ and [Attorney Name] ESQ regarding <b>DOJ investigation</b> into online advertising, prepared in anticipation of litigation.	As indicated in Google’s privilege log, this document does not relate to a State AG investigation, but rather a DOJ investigation.
7	May 1, 2019	GGPL-1050010865	ACP; WP	Memorandum containing advice of numerous counsel made in anticipation of litigation regarding legal strategy for <b>DOJ</b> call on ads.	As indicated in Google’s privilege log, this document does not relate to a State AG investigation, but rather a DOJ investigation.
8	May 23, 2019	GGPL-1080064970	ACP; WP	Draft [filing] revealing legal advice of [Attorney Name] ESQ regarding the	As indicated in Google’s privilege log, this document does not relate to a State AG

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				analysis of Google's acquisition of DoubleClick related to a second request as part of a regulatory investigation by the <i>FTC</i> prepared in anticipation of litigation.	investigation. Nonetheless, Google has determined that the underlying information was previously produced (in GOOG-AT-MDL-015739559) and so Google is removing this entry from its privilege log and will produce the document.
9	June 1, 2019	GGPL-1041496458	ACP; WP	Email seeking and containing legal advice of [Attorney Name] ESQ regarding regulatory issues prepared in response to active <i>DOJ</i> regulatory investigation and in anticipation of litigation.	As indicated in Google's privilege log, this document does not relate to a State AG investigation, but rather a DOJ matter.
10	June 2, 2019	GGPL-1170171578	ACP; WP	Email containing legal advice of [Attorney Name] regarding pending <i>DOJ</i> inquiry prepared in anticipation of litigation.	As indicated in Google's privilege log, this document does not relate to a State AG investigation, but rather a DOJ matter.
11	June 5, 2019	GGPL-AT-0026453	ACP; WP	Email prepared at or under the direction of and revealing legal advice of competition counsel regarding research performed in response to active Texas AG investigation and strategy related thereto and prepared in anticipation of litigation.	Upon further review, Google has determined that the underlying information was previously produced (in GOOG-DOJ-05534953 and GOOG-DOJ-05534960) and so Google is removing this entry from its privilege log and will produce the document.
12	June 15, 2019	GGPL-AT-0016419	ACP; WP	Email containing legal advice and opinion work product of [Attorney	The document refers to potential investigations by State AGs into unspecified competition

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				Name] ESQ regarding status and legal strategy related to DOJ and State AG investigations, prepared in response to active regulatory investigation and in anticipation of litigation.	issues based on unknown legal theories.
	<i>July 2019</i>				<i>Commencement of investigation by Texas Office of the Attorney General. See ECF 46-1 at 1.</i>
13	Aug. 16, 2019	GGPL-2300103155	ACP; WP	Email prepared at or under the direction of [Attorney Name] ESQ and [Attorney Name] ESQ in connection with potential investigation by state AGs in conjunction with DOJ investigation seeking and containing legal advice of counsel re contents thereof.	The document relates to the possibility that States Attorneys General would join the Department of Justice in some investigation into unspecified issues.
	<i>Aug. 19, 2019</i>				<i>Media reports indicate that State Attorneys General may soon begin a broad antitrust investigation into “big tech” companies. See Ex. 1.</i>
14	Sept. 6, 2019	GGPL-1011589412	ACP; WP	Email containing legal advice of [Attorney Name] ESQ regarding policy plan for response to state AG investigations and prepared in anticipation of litigation.	The document references a potential announcement by State AGs investigating Google regarding unspecified competition issues based on unknown legal theories.
	<i>Sept. 9, 2019</i>				<i>Texas issues its first CID to Google.</i>

No.	Date	Privilege Log Number	Privilege/Protection Asserted	Privilege Log Entry (all emphasis added)	Additional Information
15	Nov. 1, 2019 <sup>1</sup>	GGPL-1051926120	ACP; WP	Email seeking and containing legal advice of [Attorney Name] ESQ, [Attorney Name] ESQ and [Attorney Name] ESQ regarding competition issues, regulatory strategy and next steps in connection with <b>DOJ investigation</b> , prepared in response to active regulatory investigation and in anticipation of litigation.	As indicated in Google's privilege log, this document does not relate to a State AG investigation (and in any event, post-dates when the Court has determined Google's duty to preserve in this case first arose).

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<sup>1</sup> Google's privilege log inadvertently reflected this date in European format (1/11/19). The correct date in US format is November 1, 2019.